

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 12, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

TAWNYA R.,¹

Plaintiff,

vs.

KILOLO KIJAKAZI, ACTING
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:23-cv-03170-RHW

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g) AND CLOSING FILE**

ECF No. 6

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 6, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Andrew Bothwell represents Plaintiff. Attorney Jack Darcher represents Defendant.

After consideration, **IT IS HEREBY ORDERED** that:

1. The parties' Stipulated Motion for Remand, **ECF No. 6**, is **GRANTED**.
2. The above-captioned case be **REVERSED** and **REMANDED** to the

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 Commissioner of Social Security for further administrative proceeding pursuant to
2 sentence four of 42 U.S.C. § 405(g).

3 The parties have stipulated to the following instructions. On remand, the
4 Appeals Council will instruct the ALJ to:

- 5 • Develop the record as needed;
- 6 • Offer Plaintiff the opportunity for a new hearing; and
- 7 • Issue a new decision.

8 *See* ECF No. 6 at 2.

9 3. Judgment shall be entered for **PLAINTIFF**.

10 4. Upon proper presentation, this Court consider Plaintiff's application for
11 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

12 The District Court Executive is directed to enter this Order, **enter Judgment**
13 **in favor of Plaintiff**, forward copies to counsel, and **CLOSE THE FILE**.

14 DATED December 12, 2023.

15 *s/Robert H. Whaley*
16 ROBERT H. WHALEY
17 Senior United States District Judge
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